

DAYTIME ACTIVITY CENTERS ACT

(As Amended by Chapter 878, Laws 1967)

Section 253.21 COMMISSIONER OF PUBLIC WELFARE MAY MAKE GRANTS FOR DAY-TIME ACTIVITY CENTERS FOR THE MENTALLY RETARDED,) In order to assist in the establishment of daytime activity centers for the mentally retarded, the commissioner of public welfare is hereby authorized and directed to make grants, within the limits of the money appropriated, to those daytime activity centers for the mentally retarded that he shall select.

Section 253.22 (Applicants for Assistance; Tax Levy.) Any city, village, town, county *or* non-profit corporation or any combination thereof, may apply to the commissioner of public welfare for assistance in establishing and operating a daytime activity center and program for mentally retarded persons, Application for such assistance shall be on forms supplied by the commissioner. Each applicant shall annually submit to the commissioner its plan and budget for the next fiscal year. No applicant shall be eligible for a grant hereunder unless its plan and budget have been approved by the commissioner.

Amended by
1967 legis-
lature

provides
taxing
authority

Any city, town, village, or county is authorized, at the discretion of its governing body, to make grants from special tax revenues or from its general revenue fund to any nonprofit organization, governmental or corporate, within or outside its jurisdiction, that has established a daytime activity center for the mentally retarded. In order to provide necessary funds to establish and operate daytime activity centers for the mentally retarded, the governing body of any city, town, village, or county may levy annually upon all taxable property in such city, town, village, or county, a special tax in excess of any statutory or charter limitation but such levy shall not exceed one-half mill as to any city, town or village, and shall not exceed one mill as to any county, provided that the county levy in contiguous counties with cities of the first class shall not exceed two-tenths of a mill, and further provided that, in no event, in contiguous counties with cities of the first class shall the combined levy of cities, villages, townships and the county exceed an amount that is equal to three-tenths of a mill levied by the county. In any other county containing a city of the first class, the county levy shall not exceed three-tenths of a mill. The governing body of any city, town, village, or county may make such a levy, where necessary, separate from the general levy. Nothing contained herein shall in any way preclude the use of funds available for this purpose under any existing statute or charter provision relating to cities, towns, villages, counties.

Section 252.23 (ELIGIBILITY REQUIREMENTS.) An applicant shall satisfy all of the following requirements to be eligible for assistance under this act;

- (1) Provide daytime activities for any or all of the following classes of persons;

School age mentally retarded children who are neither educable or trainable;

Mentally retarded children and adults who are unable to attend school because of their chronological age and are unable to independently engage in ordinary community activities.

(2) Provide counselling services to parents or guardians of mentally retarded persons who may register at the center;

(3) Comply with all rules and regulations duly promulgated by the commissioner of public welfare.

Section 252.24 (COMMISSIONER'S DUTIES.) Subdivision 1. (SELECTION OF DAYTIME ACTIVITY CENTERS.) The commissioner of public welfare shall select those applicants for assistance and grant them assistance, as provided in subdivision 3, whose center location and program is licensed under the provisions of Minnesota Statutes 1965, Sections 257.081, 257.101, 257.111, **257.123, 257.175**, 257.13, and in his opinion, best provides daytime activities for mentally retarded persons within the state appropriation made available for this purpose.

Subd. 2. (SUPERVISION OF PROJECTS: PROMULGATION OF RULES AND REGULATIONS.) The commissioner of public welfare shall closely supervise any daytime activity center receiving a grant under this act. He shall promulgate in the manner provided by law such rules and regulations as are necessary to carry out the purposes of this act, including but not limited to rules and regulations pertaining to facilities for housing activity centers, administration, of centers, and eligibility requirements for admission and participation in activities of the center.

Subd. 3. (PAYMENT PROCEDURE.) The commissioner of public welfare at the beginning of each fiscal year, shall allocate available funds to activity center programs for disbursement during the fiscal year to those centers that have been selected to receive grants and whose plans and budgets have been approved. The commissioner shall, from time to time during the fiscal year, review the budgets, expenditures and programs of the various centers and if he determines that any amount of funds are not needed for any particular center to which they were allocated, he may, after 30 days' notice, withdraw such funds as are unencumbered and reallocate them to other centers. He may withdraw all funds from any center upon 90 days' notice whose program is not being administered in accordance with its approved plan and budget.

Subd. 4. (LIMITATION ON GRANTS: FEES.) No grants or assistance to any center shall exceed 50 percent of all its expenditures for (a) salaries, (b) contract facilities and services, (c) operation, maintenance and service costs, (d) other expenditures specifically approved and authorized by the commissioner of public welfare; provided, however, that the commissioner shall not approve or authorize any expenditures for rental, lease, construction, or other expenditures for facilities to house the daytime activity center. The commissioner shall not expend in any fiscal year in any one county an amount in excess of 25 cents per capita of the population in said county. The board of directors of an activity center may, with the approval of the commissioner, charge a reasonable attendance fee, based on the ability of the mentally retarded person, his guardian or family to pay such a fee, provided that no mentally retarded person shall be denied participation in the activities of such a center because of an inability to pay such a fee.

Section 252.35 (BOARD OF DIRECTORS,) Every city, village, town, county or non-profit corporation, or combination thereof, establishing a daytime activity center for the mentally retarded shall, before it comes under the terms of this act, appoint a board of directors for the activity center program. When any city, village, town or county singly establishes such a center, such board shall be appointed by the chief executive officer of the city or village or the chairman of the governing board of the county or town. When any combination of cities, villages, towns, counties or non-profit corporations, establishes such a center, the chief executive officers of the cities, villages or non-profit corporations and the chairman of the governing bodies of the counties or towns shall appoint the board of directors. If a non-profit corporation singly establishes such a center, its chief executive officer shall appoint the board of directors of the activity center. Membership on a board of directors while not mandatory, should be representative of local health, education and welfare departments, medical societies, mental health centers, associations concerned, with mental retardation, civic groups and the general public. Nothing in this act shall be construed to preclude the appointment of elected or appointed public officials or members of the board of directors of the sponsoring non-profit corporation to such board of directors.

Section 252.26 (DUTIES OF BOARD OF DIRECTORS.) Subject to the provisions of this act and the rules and regulations of the commissioner of public welfare, each board of directors of a daytime activity center shall;

(1) Recruit and promote financial support for the center from sources such as business, labor, industrial and private foundations, voluntary agencies, and the general public;

(2) Promote and enter into working agreements with other social service and educational agencies, both public and private, that provide service to the mentally retarded;

(3) Advise the commissioner of public welfare on the adoption and implementation of policies to stimulate effective community relations;

(4) Review the annual budget and plan of the center and make recommendations thereon;

(5) Review and evaluate periodically the services provided by the center and report thereon to the commissioner of public welfare, and when indicated to the public.